

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

FILED
JUN 12 2019

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

Katrina T. Robinson
3526 W 127th Street
Cleveland, OH 44111

Plaintiff,

VS.

Cleveland State University (CSU)
2121 Euclid Ave
Cleveland, OH 44115

Communications Workers of America,
District 4309 (CWA)
20525 Center Ridge Road, Suite 700
Rocky River, Ohio 44116

Defendants.

Case No. **1:19 CV 01357**

Judge. **JUDGE BOYKO**

COMPLAINT

MAG. JUDGE BAUGHMAN

Plaintiff, Katrina Robinson, Pro se files this complaint before this Court before my right expires.

PARTIES

- (1) Plaintiff, Katrina Robinson resident of 3526 W 127th Street, Cleveland, Cuyahoga, Ohio 44111, former employee, wrongfully terminated. Defendant Cleveland State University (CSU) 2121 Euclid Ave, Cleveland, Cuyahoga, Ohio 44115; and Defendant Communications Workers of America District 4309 (CWA), 20525 Center Ridge Road, Suite 700 Rocky River, Ohio 44116

JURISDICTION AND VENUE

- (2) This court has subject matter jurisdiction pursuant to 42 U.S. Code § 1983. Violations of 13th Amendment of U.S. Constitution, and 14th Amendment of U.S. Constitution.

FACTUAL ALLEGATIONS

- (3) On or about March 2017, Defendant Cleveland State University prohibited Plaintiff schedule time off work to seek medical attention in violation of federal law.
- (4) On or about October 2018 Defendant CSU retaliated against Plaintiff by wrongfully terminating and disputing Plaintiff's right to State of Ohio Unemployment Compensation benefits.
- (5) On or about November 2018 Plaintiff filed complaint for retaliation and wrongful termination with U.S. Equal Employment Opportunity Commission EEOC, case number: 532-2019-00311, 11-07-2018 Submission 2018 type Retaliation (Medical, Wages, Schedule, Retaliation) was charge: inquiry
 - a. On February 19, 2019 Plaintiff filed a complaint for retaliation with EEOC case number: 532-2019-00967, 02-19-2019 Submission 2019 type wrongful termination was charge: Determination of no reasonable cause issued right to suit issued.
 - b. On October 19, 2017 Plaintiff filed a complaint for retaliation with EEOC case Number: 532-2018-00097, 10-19-2017 Submission 2017 type Discrimination (Retaliation and disability) was charge: Determination of no reasonable cause issued – Plaintiff received right to sue letter issued.
 - c. On June 20, 2017 Plaintiff filed a complaint for discrimination (Color, Race, Retaliation, Sex, and Disability) with EEOC case number 846-2017-20889 was charge: Determination of no reasonable cause issued Plaintiff received right to suit issued.
 - d. On May 17, 2017 Plaintiff filed a complaint for discrimination (Retaliation and Disability), with EEOC case number: 846-2017-23990, 05-17-2017 Submission 2017 type Discrimination was charge: determination of no reasonable cause issued plaintiff received a right to suit letter issued.
- (6) On June 28, 2018 Plaintiff filed compliant with Ohio Civil Right Commission O.C.R.C Case# (CLE) B4 (44711) 06182018 –discriminated on the basis of Race/color, Sex, Disability, and retaliation (for protesting discrimination) –Status: inquiry
 - a. Case number: AKRB3 (44711) 06182014; 22A-2018 -01554C
Case number: KRB3 (44710) 06182018 –22A-2018-02662C Requested for reconsideration with EEOC as Dual Filing –Status inquiry
- (7) On October 2017, Plaintiff filed a complaint with Ohio State Employment Relation Board (SERB) against CWA Union and Cleveland State University for unfair labor practices and poor treatment.

- b. On December 2018 Plaintiff filed a complaint with Ohio State Employment Relations Board (SERB), Case No. 2018-ULP-09-0162 Katrina Robinson v. Cleveland State University; and Case No. 2018-ULP-09-0163 Katrina Robinson v. Communications Workers of America District 4
 - a. On January 11, 2019 Plaintiff filed wrongful termination and discrimination with SERB.
Case No. 2019-ULP-01-0011 Katrina Robinson v. Communications Workers of America;
 - c. On February 9, 2019 Plaintiff filed a complaint with Ohio State Employment Relation Board (SERB) wrongful termination and racial and gender discrimination Case No. 2019-ULP-02-0034 Katrina Robinson v. Cleveland State University
- (8) On March 28, 2019 Plaintiff filed a complaint with the O.R.C.R. Department of Health and Human Service conformation number : 1694191
- (9) On April 25, 2019 Plaintiff filed a complaint with Ohio Department or Higher education in regards to retaliation

**FIRST CLAIM FOR RELIEF
(Breach of Contract)**

- (10) The allegations of paragraphs 1-9 are re-alleged and incorporated herein by reference, and Plaintiffs allege as followed.
- (11) Defendant breach the employment contract pertaining to Plaintiff by violating Defendant's own ADA policy and refusing to abide Defendant's own wage policy.
- (12) Defendant CWA failed/refuse to represent Plaintiff pursuant to Plaintiff and Defendant's CWA union contract/agreement.

**SECOND CLAIM FOR RELIEF
(Violation of U.S. Code 1983, and 13th Amendment, and 14th Amendment of
US Constitution due process rights)**

- (13) Allegations in paragraphs 1-12 are re-alleged an incorporated herein by reference, and Plaintiff allege to the following.
- (14) Throughout Plaintiff's employment Defendant CSU violated Plaintiff's civil rights by denying equal pay, treatment and access to education because of Plaintiffs race and gender.

THIRD CLAIM FOR RELIEF
(Violation of ADA)

- (15) Allegations in paragraph 1-14 are re-alleged and incorporated herein by reference, and Plaintiff allege the following.
- (16) Defendant CSU violated Plaintiff's ADA rights by unlawfully publicizing Plaintiff's medical/health condition to unwarranted parties.
- (17) Defendant violated Plaintiff's ADA rights by refusing reasonable medical accommodations to Plaintiff although medical evidence was provided to Defendant CSU.
- (18) Defendant violated Plaintiff's ADA rights by retaliating against Plaintiff because of her medical condition and complaints made by Plaintiff.

FORTH CLAIM FOR RELIEF
(Negligent Hiring, Supervision and Retention)

- (19) Allegations in paragraph 1-18 are re-alleged and incorporated herein by reference, and Plaintiffs allege the following.
- (20) Defendants know of, knew, or should have known of the harassment, and failed to take sufficient actions to stop it and continues to allow CSU employees to victimize Plaintiff to this day. Defendants' actions constitute a failure to train, negligent hiring, supervision and retention.

FIFTH CLAIM FOR RELIEF
(Retaliation)

- (21) Allegations in paragraph 1-20 are re-alleged and incorporated herein by reference, and Plaintiffs allege the following.
- (22) Plaintiff has engaged in the protected activity of complaining regarding her treatment for her medical condition and harassment which resulted in discipline; affecting the work environment; threats; increased surveillance; unjustified negative references;

unjustified negative evaluations; substantial changes in working conditions and areas; and other activities that would dissuade a normal person from engaging in protected activity and all Defendants are liable to Plaintiffs for retaliation.

SIX CLAIM FOR RELIEF

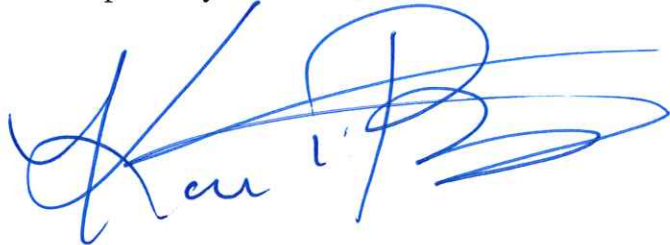
(Severe Emotional Distress)

(23) Allegations in paragraph 1-22 are re-alleged and incorporated herein by reference, and Plaintiffs allege the following.

(24) Defendants engaged in a prolonged pattern of outrageous conduct that has been beyond the bounds of civilized society in their actions targeted and repeated harassment and retaliation. Plaintiff has been forced into emotional distress that no reasonable person could endure and all Defendants are liable.

WHEREFORE, Plaintiffs respectfully ask for an amount in excess of \$250,000.00; compensatory damages; punitive damages; attorneys' fees; and any other relief this court deems just and equitable. Plaintiffs request trial by Jury.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Katrina Robinson', with a large, stylized flourish extending to the right.

Katrina Robinson

12 June 2019